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By: **Delegates Dembrow, Bobo, Kittleman, Clagett, McIntosh, Mandel,  
Pitkin, and Riley**

Introduced and read first time: February 9, 2000

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2                           **Campaign Finance Law - State Officeholders - Reporting Requirement**  
3                           **Following Convening of the Legislative Session**

4 FOR the purpose of requiring the Governor, Lieutenant Governor, Attorney General,  
5 Comptroller, and members of the General Assembly, and affiliated campaign  
6 fund-raising entities, to report by a certain date following the convening of a  
7 regular legislative session a statement of contributions and transfers received  
8 during a prescribed time frame prior to the session if the amount of  
9 contributions and transfers exceed a specified sum; providing for the application  
10 of this Act; and generally relating to the reporting of certain contributions and  
11 transfers during the period preceding the start of a regular legislative session.

12 BY repealing and reenacting, without amendments,  
13 Article 33 - Election Code  
14 Section 13-401(a)  
15 Annotated Code of Maryland  
16 (1997 Replacement Volume and 1999 Supplement)

17 BY adding to  
18 Article 33 - Election Code  
19 Section 13-401(m)  
20 Annotated Code of Maryland  
21 (1997 Replacement Volume and 1999 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
23 MARYLAND, That the Laws of Maryland read as follows:

24                           **Article 33 - Election Code**

25 13-401.

26       (a) A candidate for nomination or election to public or party office, including  
27 write-in candidates, and the treasurer designated by that candidate shall file the

1 report or statement of contributions and expenditures as prescribed in accordance  
2 with § 13-402 of this subtitle with the board at which the candidate filed his  
3 certificate of candidacy. All reports or statements of contributions and expenditures  
4 shall be filed in duplicate except those filed with the State Board. Election reports as  
5 specified below are required by all candidates for public or party office whether or not  
6 the candidate's name appears on the primary ballot, or the candidate withdraws  
7 subsequent to filing his certificate of candidacy, or the candidate is unsuccessful in  
8 the election. Each report filed shall contain all contributions received and  
9 expenditures made in furtherance of the candidate's nomination or election by the  
10 candidate himself or, with the knowledge of the candidate, by any other person or  
11 groups of persons, which shall be complete, except as otherwise provided in this  
12 section through and including the seventh day immediately preceding the day by  
13 which that report is to be filed. The initial report filed shall contain all contributions  
14 so received and expenditures so made since the date of the last preceding election to  
15 fill the office for which he is a candidate. Each subsequent report shall contain all  
16 contributions so received and expenditures so made since the end of the period for  
17 which the last preceding report is filed. Even if no contributions or expenditures have  
18 been made since the end of the period for which the last preceding report was filed, a  
19 statement to that effect must be filed on the forms prescribed pursuant to § 13-402 of  
20 this subtitle under the circumstances and at the times specified in this section. The  
21 initial and subsequent reports shall be consecutively filed as follows:

22 (1) No later than the fourth Tuesday immediately preceding any primary  
23 election; and

24 (2) No later than the second Friday immediately preceding any election  
25 which shall be complete through and including the preceding Sunday; and

26 (3) No later than the third Tuesday after the general election; and

27 (4) If a cash balance exists or if any unpaid bills or deficits remain to be  
28 paid as of the end of the period for which the report or statement in paragraph (3) of  
29 this subsection is filed, six months after the general election; and

30 (5) If a cash balance exists or if any unpaid bills or deficits remain to be  
31 paid as of the end of the period for which the report or statement in paragraph (4) of  
32 this subsection is filed, one year after the general election; and

33 (6) If a cash balance exists or if any unpaid bills or deficits remain to be  
34 paid as of the end of the period for which the report or statement in paragraph (5) of  
35 this subsection or any subsequent report or statement is filed, annually on the  
36 anniversary of the general election until no cash balance, unpaid bill, or deficit  
37 remains; and

38 (7) If a cash balance or outstanding debts or deficits were reflected on  
39 the last preceding report, but have all been eliminated by the date on which the next  
40 report is due, then a report clearly marked as "final" shall be filed on or before such  
41 date showing all transactions since the last report; and

1           (8)       If a candidate does not intend to receive contributions or make  
2 expenditures of \$1,000 or more, exclusive of his filing fee, he and his treasurer may  
3 jointly execute an affidavit to that effect on a form prescribed by the State Board. If  
4 he does not in fact receive contributions or make expenditures of \$1,000 or more, no  
5 further reports need be filed pursuant to this section. The affidavit shall be filed not  
6 later than the date by which the first report is due. If at any time the cumulative  
7 contributions to or expenditures by a candidate who has filed such an affidavit equal  
8 or exceed \$1,000, he and his treasurer shall thereafter file all reports required by this  
9 section and failure to do so constitutes a failure to file and the commission of a  
10 misdemeanor subject to the penalties prescribed in § 13-603 of this title.

11       (M)       (1)       THIS SUBSECTION APPLIES TO:

12                   (I)       THE GOVERNOR, THE LIEUTENANT GOVERNOR, THE ATTORNEY  
13 GENERAL, THE COMPTROLLER, AND A MEMBER OF THE GENERAL ASSEMBLY; AND

14                   (II)       ANY CAMPAIGN FUND-RAISING ENTITY AFFILIATED WITH AN  
15 OFFICEHOLDER LISTED IN ITEM (I) OF THIS PARAGRAPH.

16           (2)       IN ADDITION TO ANY REPORT REQUIRED UNDER SUBSECTION (A), (B),  
17 OR (D) OF THIS SECTION, ON OR BEFORE THE THIRD MONDAY FOLLOWING THE  
18 CONVENING OF A REGULAR SESSION OF THE GENERAL ASSEMBLY, AN  
19 OFFICEHOLDER AND FUND-RAISING ENTITY THAT IS SUBJECT TO THIS SUBSECTION  
20 SHALL FILE A STATEMENT OF CONTRIBUTIONS AND TRANSFERS RECEIVED BY THAT  
21 PERSON THAT COVERS THE PERIOD SINCE THE END OF THE PERIOD ENCOMPASSED  
22 BY THE LAST PRECEDING REPORT FILED UNDER THIS TITLE AND CONTINUING  
23 THROUGH, BUT NOT INCLUDING, THE FIRST DAY OF THE REGULAR LEGISLATIVE  
24 SESSION IF THE OFFICEHOLDER OR FUND-RAISING ENTITY RECEIVED AGGREGATE  
25 CONTRIBUTIONS AND TRANSFERS IN EXCESS OF \$1,000 SINCE THE PERIOD COVERED  
26 BY THE LAST REPORT FILED UNDER THIS TITLE.

27       SECTION 2. AND BE IT FURTHER ENACTED, That the additional reporting  
28 requirement imposed under Article 33, § 13-401(m) as enacted by Section 1 of this Act  
29 shall take effect with the commencement of the General Assembly term that begins on  
30 January 8, 2003.

31       SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions  
32 of Section 2 of this Act, this Act shall take effect October 1, 2000.